



7-08-04

\$RCE
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EXPRESS MAIL NO. EV335392623US

**REQUEST
FOR
CONTINUED EXAMINATION (RCE)
TRANSMITTAL**

Address to:

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Application Number	09/940,682
Filing Date	August 27, 2001
First Named Inventor	David E. Townsend
Art Unit	1651
Examiner Name	DAVIS, Ruth A.
Attorney Docket Number	150026.464

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.

Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. Submission required under 37 CFR 1.114 Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

- a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
- i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- ii. ☐ Other _____
- b. ☒ Enclosed
- i. ☒ Supplemental Response
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Other _____

2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
- b. ☒ Other: Petition for An Extension of Time (+copy); Fee Transmittal (+copy)

3. Fees The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

- a. ☐ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 19-1090.
- i. ☐ RCE fee required under 37 CFR 1.17(e)
- ii. ☐ Extension of time fee (37 CFR 1.136 and 1.17)
- iii. ☐ Other _____
- b. ☒ Check in the amount of \$ 860 enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print /Type)	William T. Christiansen, Ph.D.	Registration No. (Attorney/Agent)	44,614
Signature		Date	July 07, 2004

VIA EXPRESS MAIL

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EXPRESS MAIL NO. EV335392623US

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : David E. Townsend
Application No. : 09/940,682
Confirmation No. : 4343
Filed : August 27, 2001
For : COMPOSITIONS AND METHODS FOR DETECTING TARGET
MICROORGANISMS IN A SAMPLE

Examiner : DAVIS, Ruth A.
Art Unit : 1651
Docket No. : 150026.464
Date : July 07, 2004

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SUPPLEMENTAL RESPONSE

Commissioner:

In response to the Office Action dated January 07, 2004 and the Advisory Action dated April 20, 2004, please extend the period of time for response three months, to expire on July 07, 2004. Enclosed are a Request for Continued Prosecution (RCE), a Petition for an Extension of Time and the requisite fee.

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 5 of this paper.